

REPORT TO THE JERICHO DEVELOPMENT REVIEW BOARD

DEVELOPMENT REVIEW BOARD HEARING DATE: October 27, 2016

REPORT PREPARATION DATE: September 26, 2016

APPLICATION TYPE: Boundary Line Adjustment

APPLICANT/OWNER: Marjorie Hunt

DESCRIPTION: Boundary Line adjustment 150 Lee River Road located within the Village District

IDENTIFYING INFORMATION:

LOCATION: 150 Lee River Road

PARCEL NO: LE150

TOTAL ACREAGE: 57.5 Acres

ZONING DISTRICT(S): Village Districts

EXISTING USE: Open land

PROPOSED USE: Boundary line adjustment.

NOTICE OF PUBLIC WARNING/ ABUTTERS:

Notice of Public Warning published in the Mountain Gazette on: 10/6/2016

Notice of Public Warning posted on: 10/11/2016

Notice of Public Warning sent to abutters on: 10/5/2016

Notice of Public Warning sent to the applicants on: 10/5/2016

LOCATION MAP:



PROJECT OVERVIEW

The applicant is proposing to deed land to existing nonaffiliated lots that are contiguous with the overall parcel. One lot will be deeded 1.07 acres and the other lot will be deeded 1.43 acres.

PREVIOUS ACTIVITY

There is no previous activity associated with this parcel.

DEPARTMENTAL REVIEW AND COMMENTS

This application is a boundary line adjustment dealing with the deeding of 2 acres in the Village District. Staff has the ability to only approve boundary line adjustments in this zoned district of 1 acre and because the application contemplates an adjustment of 2 acres it is review by the DRB.

10.7 Boundary Adjustment

- 10.7.1 *Applicability:* Any boundary adjustment must satisfy the requirements of this section. Boundary adjustments shall require review and approval by the Zoning Administrator and shall be submitted for filing with the Town Clerk. If the total acreage transferred as a result of a boundary adjustment exceeds the minimum lot size in the district in which the property is located, the boundary adjustment shall be treated as a minor subdivision. *As mentioned above the land being transferred exceeds the minimum standard by 1 acre for this district so the request must be reviewed by the DRB. The proposal is complaint with the Town of Jericho's regulations it is just beyond what Staff can administratively approve.*
- 10.7.2 *Boundary Adjustment Standards:* All boundary adjustments shall meet the following standards:
 - 10.7.2.1 No new lots shall be created *No new lots are being created.*
 - 10.7.2.2 No existing lot or structure is made non-conforming or more non-conforming *No new structures or conformity issues arise from this application.*
 - 10.7.2.3 No roads, Rights-Of-Way, or public facilities shall be impacted *No roads, ROW or public facilities are impacted from this proposal.*
- 10.7.3 *Application Requirements:* An application for a boundary adjustment shall be filed with the Zoning Administrator and shall include the following:
 - 10.7.3.1 Completed zoning permit application
 - 10.7.3.2 New Plans and Drawings including:
 - 10.7.3.2.1 Date, scale, and true North arrow; *The application is in compliance.*
 - 10.7.3.2.2 The name, license number, and seal of the registered land surveyor who prepared the plans; *Conditioned upon approval of the DRB*

10.7.3.2.3 Bearings and distances of boundary lines of each lot, monumentation of all lot corners, and all easements; and *The application is in compliance.*

10.7.3.2.4 The following language, “*Approval of this boundary adjustment does not constitute creation of a separate parcel or lot of land. It simply adjusts the physical location of the common boundary of the adjoining parcels or lots. Any future subdivision of these parcels or lots must be approved by the Development Review Board. This lot line adjustment has been approved pursuant to Section 10.7 of the Town of Jericho Land Use and Development Regulations.*” *Conditioned upon approval of the DRB*

10.7.4 *Action by Zoning Administrator:* Within thirty [30] days of receipt of a complete application, including all application materials and fees, the Zoning Administrator shall act to issue or deny the boundary adjustment in writing or to refer the application to the Development Review Board for consideration as a minor subdivision. If the Zoning Administrator fails to act within the thirty [30] day period, a Boundary Adjustment shall be deemed issued on the thirty-first [31st] day.

10.7.5 *Recording of Mylar:* Once approved or issued, the applicant shall submit a copy of the mylar, bearing the Zoning Administrator’s or Development Review Board Chair’s endorsement, to the Town Clerk. The applicant shall pay any fees required to file the mylar. Boundary adjustment approval shall expire if the mylar is not filed with the Town clerk within 180 days of approval. *Conditioned upon approval of the DRB*



The proposed land to be conveyed is outlined in GREEN.

STAFF RECOMMENDATION:

Staff recommends that the DRB approve as presented and noted within the staff notes.